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M.J.
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Patent

Attorney's Docket No. 032367-449

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of

BURTON G. CHRISTENSEN, et al.

Application No.: 09/457,926

Filed: December 8, 1999

For: NOVEL ANTIBACTERIAL AGENTS

Group Art Unit: 1627

Examiner: M. Garcia

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is a Supplemental Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☐ No additional fee for submission of an IDS is required.
- ☒ The fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A certification under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A certification under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge \$_____ to Deposit Account No. 02-4800 for the fee due.
- ☒ A check in the amount of \$ 180.00 is enclosed for the fee due.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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By:

Gerald F. Swiss
Registration No. 30,113

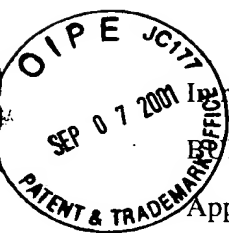
Date: September 6, 2001

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In re Patent Application of

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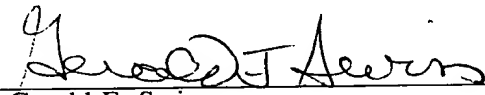
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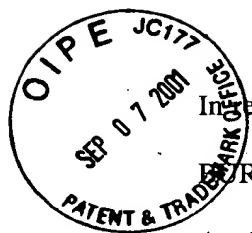
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Inter Patent Application of)

BURT G. CHRISTENSEN, et al.)

Application No.: 09/457,926)

Filed: December 8, 1999)

For: NOVEL ANTIBACTERIAL AGENTS)

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

1. Staroske, T., et al. "Synthesis of Covalent Head-to-Tail Dimers of Vancomycin." *Tetrahedron Letters*. 39: 4917-4920 (1998).

The following references were cited in the Search Report for the related European Patent Application No. 99928455.7. A copy of the search report is enclosed for the convenience of the Examiner.

2. BE 886 467 A, published April 1, 1981.(previously cited, not enclosed herewith)
3. International Publication No. WO 95/19974, published July 27, 1995. (previously cited, not enclosed herewith).
4. Bajaksouzian, S., et al. "Antipneumococcal activities of cefpirome and cefotaxime, alone and in combination with vancomycin and teicoplanin, determined by checkerboard and time-kill methods." *Antimicrob. Agents Chemother.* 40(9): 1973-1976 (1996).

5. Database WPI, Section Ch, Week 199211, Derwent Publications Ltd, London, GB; Class B05, AN 1992-085865.
6. Donabedian, H., et al. "Synergy of vancomycin with penicillins and cephalosporins against *Pseudomonas*, *Klebsiella*, and *Serratia*." DATABASE CHEMABS 'Online! Chemical Abstracts Service, Columbus, Ohio. Retrieved from STN Database accession no. 88:944.
7. Fitoussi, F., et al. "Comparative in vitro killing activities of meropenem, imipenem, ceftriaxone, and ceftriaxone plus vancomycin at clinically achievable cerebrospinal fluid concentrations against penicillin-resistant *Streptococcus pneumoniae* isolates from children with meningitis." *Antimicrob. Agents Chemother.* 42(4): 942-944 (1998).
8. Friedland, I.R., et al. "Time-kill studies of antibiotic combinations against penicillin-resistant and -susceptible *Streptococcus pneumoniae*." DATABASE CHEMABS 'Online! Chemical Abstracts Service, Columbus Ohio. Retrieved from STN Database accession no. 121: 251056.
9. Jin J., et al. "Synthesis and antibacterial activities of new beta.-lactam compounds." DATABASE CHEMABS 'Online! Chemical Abstracts Service, Columbus, Ohio. Retrieved from STN Database accession no. 107: 236287. (previously cited, not enclosed herewith)
10. Ohya, S., et al. "Potent cephalosporinase inhibitors: 7. beta.-'2-(1,3-dithiolan-2-ylidene)acetamido!cephalosporins and related compounds." *Antimicrob. Agents Chemother.* 21(4): 613-617 (1982). (previously cited, not enclosed herewith)
11. Svensson, E., et al. "Pharmacodynamic effects of antibiotics and antibiotic combinations on growing and nongrowing *Staphylococcus epidermis* cells." *Antimicrob. Agents Chemother.* 41(1): 107-111 (1997).

A fee in the amount of \$180.00 (126) is enclosed in conformance with 37 C.F.R.

§ 1.97(c).

By citing the above references, Applicants do not acquiesce or admit that any of these documents are "prior art" under 35 U.S.C. Applicants specifically reserve the right, where appropriate, to antedate any of the cited documents by an appropriate showing under 37 C.F.R. §1.131, §1.604, §1.608 or any other suitable means.

Supplemental Information Disclosure Statement

Application No. 09/459,926


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Page 3

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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